



**US Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to:	Issuance Date:
Public Notice No. 199600589	<u>October 25, 2001</u>
Application No.:	Expiration Date:
<u>Sugar Fork of Sugar Creek</u>	<u>November 24, 2001</u>
Address comments to:	US Army Corps of Engineers, Huntington District 502 Eighth Street ATTN: CELRHE Huntington, West Virginia 25701-2070

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency (OEPA) to act on Section 401 Water Quality Certification for the following application.

APPLICANT: Norton Environmental
6200 Rockside Woods Blvd., Suite 105
Independence, Ohio 44131

LOCATION: The project is located on an unnamed tributary of the South Fork of Sugar Creek near Wilmot, Tuscarawas County, Ohio.

DESCRIPTION OF PROPOSED WORK: The applicant is proposing to impact 7.19 acres of jurisdictional wetlands, 6.00 acres of jurisdictional open water areas, and 3,455 linear feet of jurisdictional streams in association with the construction of the proposed Ridge Landfill. The purpose of the proposed project is to provide solid wasteland disposal capacity for northeast Ohio. The proposed facility would accept only municipal solid waste.

The total size of the project area of excavation is 516.7 acres. The actual area of proposed waste disposal encompasses 345 acres. The landfill would be constructed in 11 phases or cells. Each cell would cover approximately 40 acres and have an average life of approximately 4.5 years. The facility is projected to have a site life of 40 to 50 years. All wetlands and streams would be filled within 10 years.

During construction of the proposed landfill, the wetlands and streams would be excavated to specified depths and then lined with clay. The landfill would be excavated to an elevation of 1,132 feet with an average excavation depth of 25 feet. The bottom liner would consist of three feet of compacted clay and a layer of geosynthetic clay liner (GCL). The top liner or cap would use a GCL layer. At the end of each day, six inches of cover would be placed on top of accumulated waste. When the cells are completely filled, they would be individually capped and vegetated. Included in the development of this landfill would be the construction of four sediment basins to control surface water runoff. The applicant is coordinating with the OEPA for a Permit to Install and an NPDES Stormwater Permit.

Permitting, construction, operations, closure, and post-closure of the landfill would also be required by OEPA in accordance with applicable sections of the Ohio Revised Code and Ohio Landfill BAT regulations as prepared by the OEPA, Division of Solid and Hazardous Waster Management.

Alternatives Analysis

This project is not considered to be water dependent, therefore, the applicant is required to show that other less damaging practicable alternatives are not available that would achieve the applicant's goal. The applicant submitted an alternatives analysis that is currently being reviewed. No permit will be issued until our review of the alternatives analysis clearly shows that upland alternatives are not available to achieve the applicant's goal.

Mitigation Plan

The applicant has submitted a Conceptual Mitigation Plan (CMP) to compensate for impacts to waters of the United States regulated by this office and other isolated wetlands regulated by OEPA. A formal detailed mitigation plan would be required before construction.

The applicant proposes to restore/create 1.5 acres of wetland for each acre of impacted wetland and to mitigate stream impacts at a 1 to 1 ratio. The entire mitigation project would be located on the West Property, a 131-acre parcel of land owned by the applicant and located on the west side of the Ridge Landfill. The entire West Property, with the exception of an area to be used for a sedimentation pond (11.5 acres), would be set aside in a conservation easement.

The site would include upland areas, wetlands, streams, and deepwater habitat that would be constructed, enhanced, or preserved depending on their present state. The final mitigation plan would provide for a minimum of 17.1 acres of new wetland habitat on the site. The final design of these wetlands would be determined after additional field investigations and coordination with appropriate state and Federal agencies.

The final plan would also compensate for stream losses. Stream channels would be created through the constructed wetlands. Streams would be designed to provide perennial or intermittent flow of water while supporting wetlands along the stream banks and pools. Stream morphology would be designed to meet or exceed the quality of the existing streams on the landfill site.

Plans of the proposed work are attached to this notice.

A Section 401 Water Quality Certification and Isolated Wetlands permit is required for the project. It is the applicant's responsibility to obtain these from the Ohio Environmental Protection Agency.

A Phase I cultural resource survey was conducted for the proposed Ridge Landfill by an archaeological consultant. The survey included a literature review as well as visual inspection and subsurface testing of undisturbed areas potentially impacted by development of the landfill. A report was prepared by the consultant and submitted to the Ohio Historic Preservation Office

(OHPO). The survey located two sites on the Ridge Landfill area that OHPO concurred were potentially eligible for the National Register of Historic Places. OHPO recommended that Phase II evaluative testing be conducted for these sites if impacts could not be avoided during construction of the landfill. According to the current design of the landfill, one of these sites may be impacted. Accordingly, a Phase II evaluation would be scheduled if final plans for the landfill indicates unavoidable impacts to this site.

This project is located within the known or historic range of the following endangered or threatened species:

Indiana Bat
Clubshell Mussel

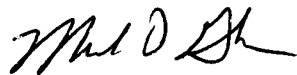
The Huntington District has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This public notice serves as a request to the U. S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7© of the Endangered Species Act of 1972 (as amended).

Any person who has an interest which may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest that may be adversely affected and the manner in which the interest may be adversely affected by the activity. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal.

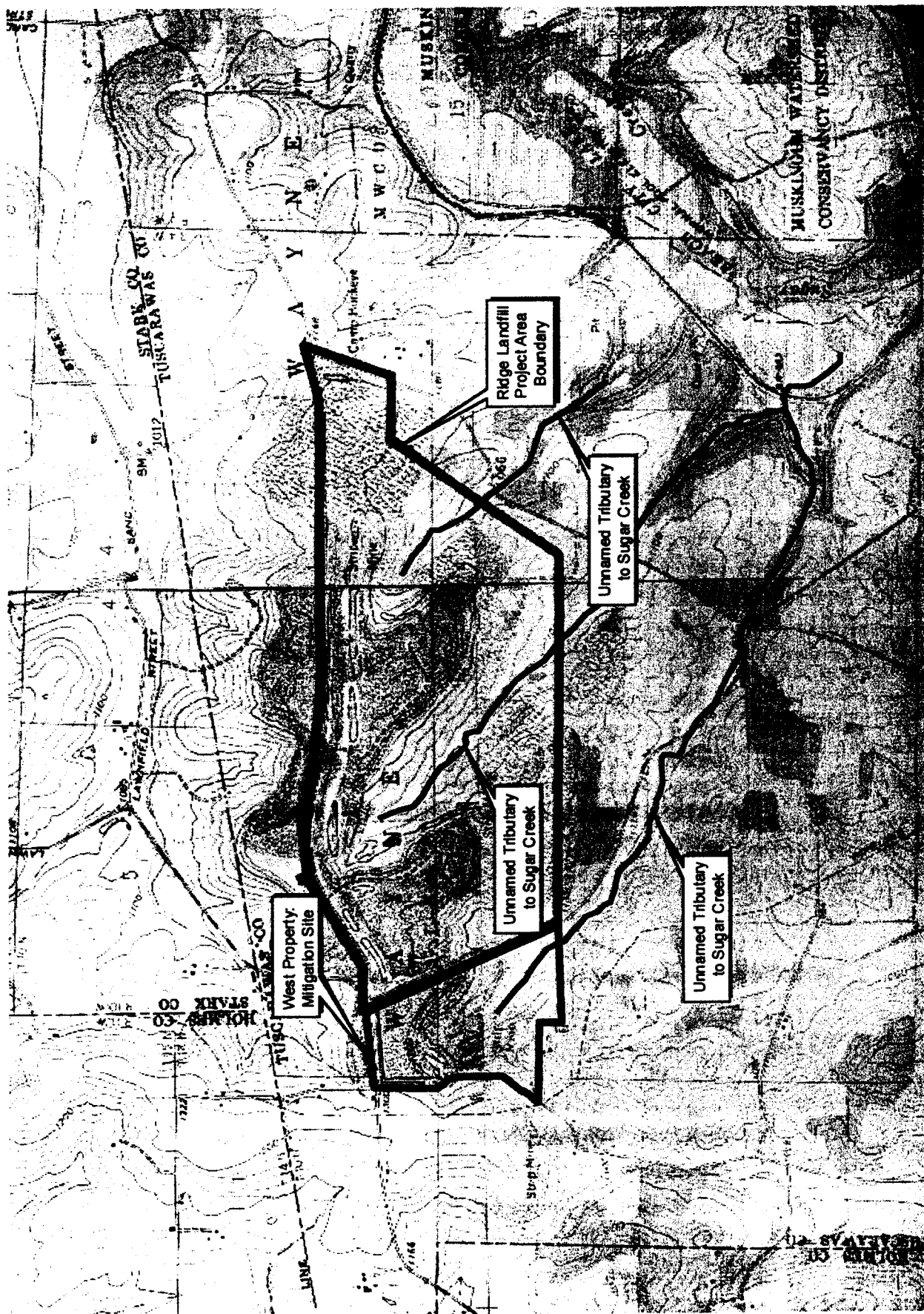
To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If you have any questions concerning this public notice, please contact Ms. Jean Lehigh at (330) 364-6177.



Michael D. Gheen
Chief, Regulatory Branch

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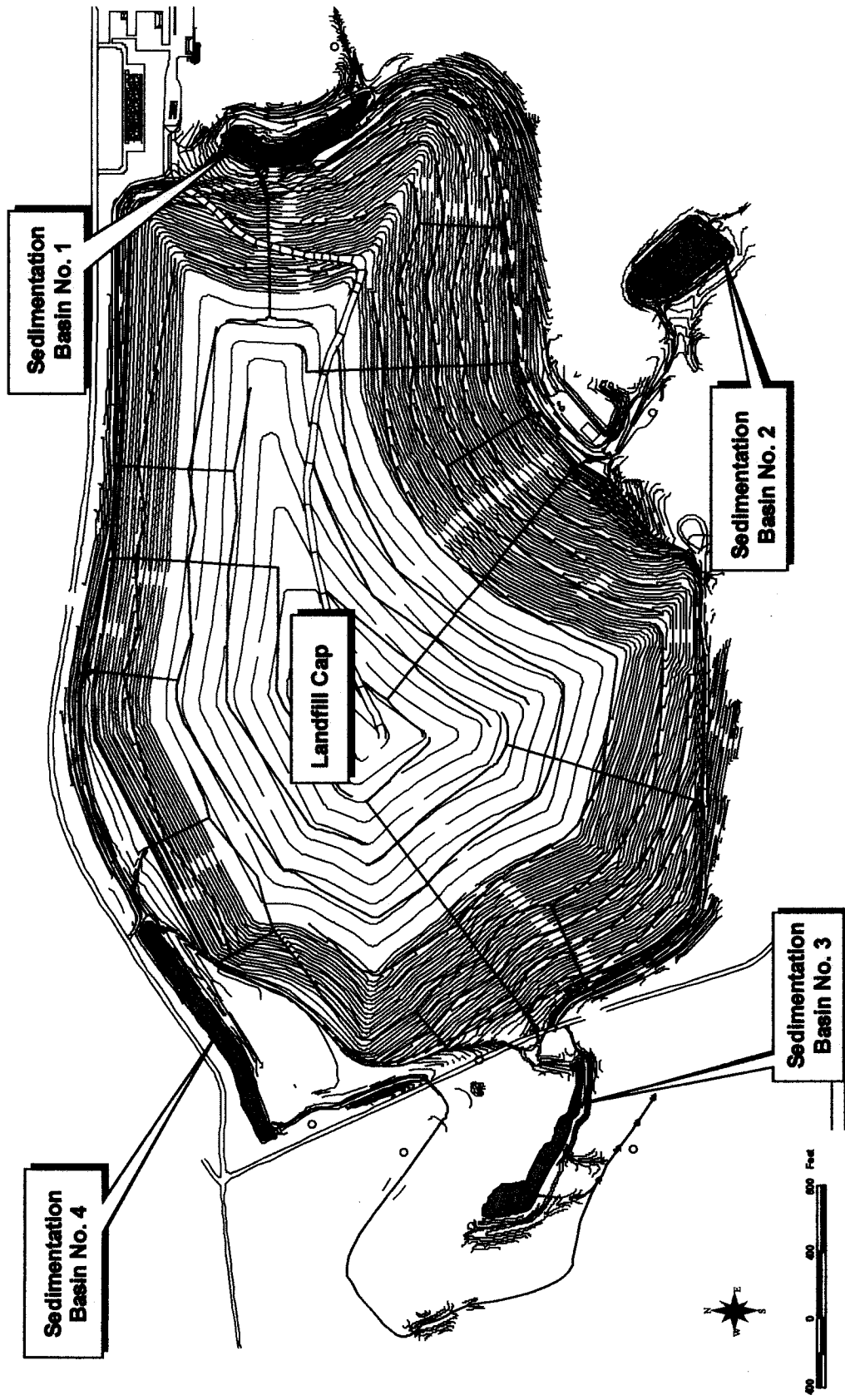
Location of the Ridge Landfill project area and mitigation site near Wilmot, Ohio as shown on the USGS topographic map. Source: USGS 7.5 minute topographic map. (Sugar Creek, Wilmot, Strasburg, and Navarre, Ohio Quadrangles)



Acres of jurisdictional wetlands potentially impacted by construction of the Ridge Landfill near Wilmet, Ohio. Total jurisdictional surface area impacted was determined to be 7.19 acres. Total length of jurisdictional streams impacted was determined to be 3455 ft. not including portions of the stream flowing through wetlands.

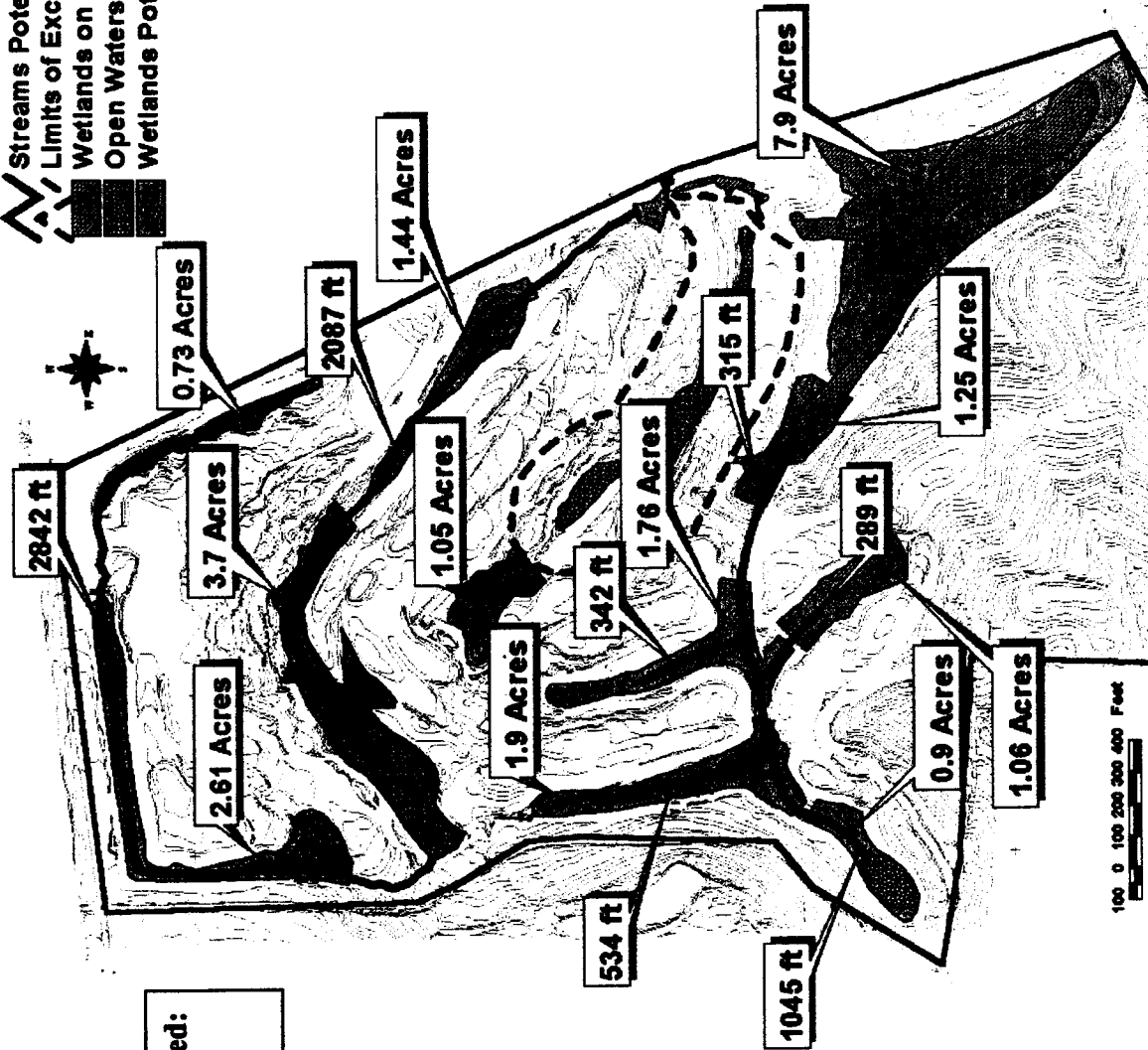


Drawing of the Ridge Landfill showing the boundary of individual cells numbered according to the order in which they will be constructed and filled with solid waste.



Drawing of the Ridge Landfill showing the location of sedimentation basins and flow patterns of surface drainage to those basins.

Streams Potentially Constructed
Limits of Excavation
Wetlands on Site
Open Waters On Site
Wetlands Potentially Constructed



Area/Length Potentially Created:

- Streams: 7454 ft
- Wetlands: 24.75 acres

Constructed and enhanced wetlands and streams potentially used for mitigation of wetlands and streams projected to be filled by the Ridge Landfill near Wilmot, Ohio.

ADAMS ENVIRONMENTAL, INC.

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